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Docket No. CV 0244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
MICHAEL J. WARING, ET AL.
APPLICATION NO: 09/341,821
FILED: SEPTEMBER 1, 1999
FOR: MULTI-DOSE WOUND GEL

Art Unit: 1611
Examiner: I. GHALI

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REVISED SECTION (5) OF APPELLANTS' APPEAL BRIEF

Sir:

In the Notification of Non-Compliant Appeal Brief mailed in this application on September 15, 2009, Appellants' Brief was said to be defective for failing to contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal. The Notification further requires that each independent claim

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"must separately refer to the specification by page and line number..." Therefore, Appellants submit below a revised section (5) of their Brief.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention relates to and claims in claim 5, a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10, page 2, lines 12-13 and page 5, lines 28-33), in claims 8 and 9, a method of making a self-sealing barrier aerosol vessel comprising multiple doses of a wound gel (see, e.g., page 3, line 34 - page 4, line 11), in claim 10, a multiple dose, sterile wound gel contained within a self-sealing barrier aerosol vessel (see, e.g., page 1, lines 7-10 and page 2, lines 9-11), in claim 14, a method of treating sinus wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10, page 2, lines 14-32 and, in particular, lines 23-27), in claim 15, a method of treating wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10 and page 2, lines 14-32), in claim 19, a method of treating wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel wherein the gel-containing vessel is prepared by certain steps (see, e.g., page 1, lines 7-10, page 2, lines 14-32 and page 3, line 34 – page 4, line 11), and in claim 20, a method for dispensing multiple doses of a wound gel from a single dispenser (see, e.g., page 3, line 34 – page 4, line 11, and figure 2).

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In view of the Brief filed on 19 August 2009 and this revised section (5), reconsideration of this application and reversal of the rejection are respectfully requested.

Respectfully submitted,

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Date: October 15, 2009

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